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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BRANDI PASSANTE

Plaintiffs,

vs.

HUNTER MOORE, AN INDIVIDUAL, AND
DOES 1-25,

Defendants.

Case No.: SACV12-01866JVS (ANx)

**DECLARATION OF LINDA S. McALEER
RESPONDING TO OSC RE DISMISSAL
FOR LACK OF PROSECUTION**

DECLARATION OF LINDA S. McALEER

I, Linda S. McAleer, hereby declare under the penalties of perjury under the laws of the United States of America, that the following is true and correct:

1. I am an attorney duly licensed to practice law before this Court. I am counsel of record for Plaintiff Brandi Passante. I submit this declaration regarding the Order to Show Cause re Dismissal for Lack of Prosecution entered on April 01, 2013.

2. I have personal knowledge of the matters set forth in this declaration, and if called upon to testify as a witness, I could and would testify competently to such matters.

1 3. I actively attempted to settle this matter until late March 2013. At that time opposing
2 Counsel stopped responding to correspondence. I sent a follow up e-mail on April 1, 2013
3 seeking an acceptance or rejection of my last settlement offer and received no response.

4 4. I am currently drafting a Motion for Default Judgment and anticipate filing it no later
5 than May 03, 2013.

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7 Executed April 22, 2013 in San Diego County, California.

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9 /s/Linda S. McAleer
10 Linda S. McAleer, Esq.
11 Attorney for Plaintiff
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